

PROB 12
(Rev 02/94)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Alejandro Muniz,

Defendant.

Criminal Action No.

CR05-49

Petition on Probation and Supervised Release

COMES NOW Thomas F. Carey Probation Officer of the Court presenting an official report upon the conduct and attitude of Alejandro Muniz, who was placed on supervision by the Honorable Richard M. Berman, sitting in the court at New York, New York on the 25th day of March 2003, who fixed the period of supervision at three years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. Defendant shall participate in weekly therapeutic counseling by a licensed therapist. The defendant may be required to contribute to the costs of services rendered (copayment) in an amount to be determined by the probation officer, based on ability to pay or availability of third party payment.
2. The defendant shall be supervised in the district of residence.
3. The defendant shall report to probation within 72 hours of his release from prison.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

The current mental health treatment condition was imposed during a time when the defendant experienced depression. He no longer experiences symptoms of depression, and he appears to be functioning normally. The defendant does not believe he is in need of treatment, and the probation office wants a condition in place, in case some need arises in the future.

PRAYING THAT THE COURT WILL ORDER ...that the current conditions be modified to reflect the following change: "The defendant shall submit to a mental health evaluation, and treatment, if recommended as a result of the evaluation."

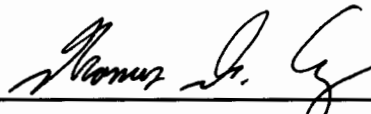
ORDER OF COURT

So ordered this _____ day

of _____ 2005.

U. S. District Judge

I declare under penalty of perjury the foregoing is true and correct,



U.S. Probation Officer

Executed on May 6, 2005

Place Dover, Delaware

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

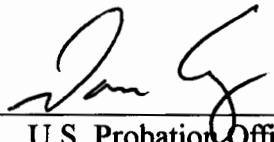
UNITED STATES DISTRICT COURT
for the
DISTRICT OF DELAWARE

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

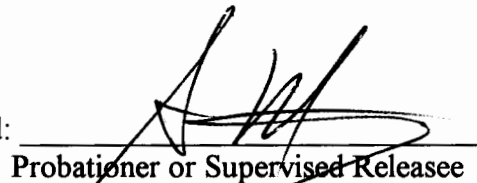
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall submit to a mental health evaluation, and treatment, if recommended as a result of the evaluation.

Witness:


U.S. Probation Officer

Signed:


Probationer or Supervised Releasee

3/24/05
DATE